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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,444	02/23/2001	Edgar Bolinth	P00,1953	1275

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EXAMINER

JACKSON, BLANE J

ART UNIT	PAPER NUMBER
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2685

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DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/720,444

Applicant(s)

BOLINTH ET AL.

Examiner

Blane J Jackson

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5&7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 6 and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Abassi et al. (U.S. Patent 5,724,665).

As to claim 6, Abbasi teaches a method for controlling the handover of telecommunication connections in cellular telecommunications systems using wireless telecommunication including:

- initiating a telecommunications connections between an uncoordinated, unlicensed operation (private or personal communication system) of the telecommunications system and a coordinated, licensed operation of the (public cellular radiotelephone) telecommunications system (figure 1, column 1, lines 40-54 and figure 5, column 4, lines 24-40),
- receiving on a first telecommunications channel in a first base station which supports uncoordinated, unlicensed system operation and associated with a first cell, a message relevant in a first monitoring mode (scanned for neighbor control channels) for handing off telecommunications connections, the messages in each case being sent by at least one second base station associated with a

second cell and adjacent to the first base station (column 4, lines 37-48, turning on the base station at installation or subsequent updates achieves same action)

- assessing in the first base station the information content and reception quality of the message and transmitting a list of parameters organized on the basis of the reception quality required for handing over the telecommunications connection, the list of parameters associated with any one of the second base stations on a second telecommunications (channel)(transmission of neighbor list to the mobile terminal for hand off procedures implied in Abbassi generation of the list (column 4, lines 24-32, lines 37-40).

As to claim 7, Abbassi teaches where the first monitoring mode is switched on at predetermined periodic time intervals (column 4, line 43-45).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbasi et al. (U.S. Patent 5,724,665) with a view to Choi (U.S. Patent 6,278,883).

As to claims 8 and 9, Abbassi teaches the step of teach initiating in the mobile part and or the base station a second monitoring mode for handing off information relevant

to telecommunications connections for transmitting data links (neighbor list development to initiate hand off by the base or mobile station, Abstract) but does not teach transmitting asymmetric data links at a maximum data transmission rate in the downlink direction and at a minimum data transmission rate in the uplink direction or a minimum data transmission rate in the downlink direction and at a maximum data transmission rate in the uplink direction via the base station.

Choi teaches a network access protocol (CDPA) that supports an asymmetric data rate coverage area pattern to be utilized private local and public wireless systems (figure 4A, column 3, lines 1-45, column 4, line 61 to column 5, line 21). Choi teaches a formatted data control packet to signal symmetric or asymmetric data rate where the uplink data rate is the same or different than the downlink data rate determined during registration of the mobile with the base station (figure 2, column 7, line 61 to column 8, line 46). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Abbasi with the asymmetric data rate control of Choi according to the desired range and to minimize the probability of collision within or between a private and public local wireless system.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abbasi et al. (U.S. Patent 5,724,665) and Choi (U.S. Patent 6,278,883) with a view to Coursey et al. (U.S. Patent 5,995,839).

As to claim 10, Abbasi modified teaches a personal (private) wireless telecommunication system in connection with a plurality of wireless base stations over

an RF radio channel (public) but for a discussion of Capture Division Packet Access (CPDA) in Choi (column 4, lines 29-66) is silent as to other connection protocols (Abassi, column 1, lines 40-54).

Coursey teaches a base station system to enable communication and handoff operations between a Private/ Residential Base Station and a (public) cellular telephone system (column 2, lines 26-49). Coursey further teaches an alternative radio frequency interface to include (figure 1, (26)) 800 Mhz cellular network, GSM and various PCS standards that include PCS-1900, DCS-1800, DECT (TDMA-TDD) and PACTS (column 3, lines 49-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a wireless protocol standard in the system of Abbasi with any available standard as taught by Coursey including CDMA, FDMA, TDMA using TDD or FDD principles for compatibility with local applications.

Conclusion

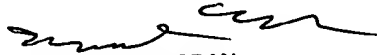
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Berggren et al. (U.S. Patent 6,073,015) teaches a method and apparatus for facilitating communications with a roaming mobile subscriber between a microcellular (DECT) and macrocellular (GSM) network. Teaches methods to enhance capacity in a radio system, high data rates in the downlink also applicable during handover.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blane J Jackson whose telephone number is (703) 305-5291. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

BJJ


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